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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,645	02/26/2004	Hsug Fang Wang	USDP2394A-ADT	3084
7590	09/22/2004		EXAMINER	
Raymond Y. Chan Suite 128 108 N. Ynez Ave. Monterey Park, CA 91754			LA, ANH V	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/786,645

Applicant(s)

WANG, HSUG FANG

Examiner

Anh V La

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Handfield (US 5,581,023).

Regarding claim 1, Handfield discloses an alert system for a vehicle tire comprising at least an alert device provided at a tire valve of the vehicle tire, the alert device comprising a signal arrangement comprising a cap 120, 182, a signal generator 147, 192, a power supply arrangement 132, 188 having a first contact unit, and a second contact unit, a connector comprising a power inlet, a power outlet, wherein when the vehicle tire has an interior pneumatic pressure higher than a predetermined standard pressure, the power inlet and outlet are arranged to electrically disconnect with each other, and when the pressure of the tire is lower than the standard pressure, the power inlet and outlet is electrically connect to transmit electricity from the power inlet through the second contact unit of the power arrangement to the power outlet and generate a warning signal (column 9, line 48- col. 10, line 67, col. 11, lines 1-15, col. 12, lines 8-36, see figures 4-5 and 6-7).

Regarding claim 2, Handfield discloses the connector having a tooth-shaped outer surface and an opening of the cap has an inner surface (fig. 4-7).

Regarding claim 3, Handfield discloses a signal receiver, an audio output 355, and a visual display 364, 388 (fig. 10a, 10b).

Regarding claim 4, Handfield discloses the receiver having a plurality of receiving channels correspondingly to various signal frequencies so as to distinguish the warning signal received from the alert device (col. 13, line 25-col. 14, lines 25, col. 15, lines 15-62, col. 18, lines 10-31).

Regarding claim 5, Handfield discloses an alert device comprising a signal arrangement comprising a cap 120, 182, a signal generator 147, 192, a power supply arrangement 132, 188 having a first contact unit, and a second contact unit, a connector comprising a power inlet, a power outlet, wherein when the pneumatic object has a pneumatic pressure higher than a predetermined standard pressure, the power inlet and power outlet are arranged to electrically disconnect with each other, and when the pressure of the object is lower than the standard pressure, the power inlet and power outlet is electrically connect to transmit electricity from the power inlet through the second contact unit of the power arrangement to the power outlet and generate a warning signal (column 9, line 48- col. 10, line 67, col. 11, lines 1-15, col. 12, lines 8-36, see figures 4-5 and 6-7).

Regarding claim 6, Handfield discloses the connector having a tooth-shaped outer surface and an opening of the cap has an inner surface (fig. 4-7).

Regarding claim 7, Handfield discloses a signal receiver, an audio output 355, and a visual display 364, 388 (fig. 10a, 10b).

Double Patenting

2. Claims 1-7 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 5, 8, 9, 12, and 15, respectively of U.S. Patent No. 6,762,677. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1, 5, 8, 9, 12, and 15 of U.S. Patent No. 6,762,677 contains all the limitations cited in claims 1-7 of the present invention.

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brown, Lundqvist, Schultz, Achterholt, and Huang teach tire pressure monitoring systems.

Art Unit: 2636

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
September 18, 2004